

December 23, 2023

VIA PRO SE INTAKE

Hon. Jennifer L. Rochon, U.S.D.J.
United States District Court
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007

Re: *Arthur Balder v. Susan Sarandon, et al*, Case No.: 1:22-cv-06401-JLR-SN

TO THE HON. JENNIFER L. ROCHON:

I am the Plaintiff in this action. This letter is submitted pursuant to I.B. and I.G. of your Honor's Individual Practices rules to request extension of time to file Objections to the Report & Recommendation. The original due date to file Objections is January 2, 2024. The date sought to be extended is January 2, 2024 and the new date we seek through extension is to file Objections no later than January 31, 2024. Plaintiff tried to contact counsel of Defendants with no success, and as of December 23, 2023, they had not answered our email, so we do not know if they concede or refuse.

Of note, a petition of ours for a Settlement Conference with Hon. Sarah Netburn was granted on February 19, 2023, and dates made available by Court Deputy. We chose among them preliminary February 7. Attorneys of Defendants did not contact us, neither did they answer the emails shared with all parties by Court Deputy offering Settlement Conference dates. Given the circumstances, Plaintiff has considered prudent to request this extension of time to file Objections although nothing has been heard or known from Defendants' attorneys after R&R filed on December 18, 2023 and after Settlement Conference petition granted on December 19, 2023. The Initial Pretrial Conference has been scheduled by Order. Docket Nr 88 on January 10, 2024. Plaintiff does not know if this extension would affect that other scheduled dates, neither if a proposed Revised Civil Case Management Plan and Scheduling Order must be made, and seeks advice in such matters.

The Report & Recommendation, Docket 86, by Hon. Magistrate Judge Sarah Netburn is dated December 18, 2023. The document states that "Any requests for an extension of time for filing objections must be addressed to Judge Rochon."

Consequently, I submit this letter as a request for an extension of time. I request that written Objection must be filed no later than January 31, 2024.

Plaintiff is a pro se litigant. The complexity of this case is absolutely overwhelming, and it is impossible for us to advance in preparing certain important filings without much more dedication in terms of time that would be otherwise expectable from seasoned attorneys.

Additionally, and playing a very important role in this situation, Plaintiff receives periodical assessment from NYLAG Legal Clinic for pro Se Litigants in the Southern District of New York. As of las weeks, and due to general overburden and the Christmas break, they cannot provide assessment.

At this point Plaintiff cannot get assistance for this Objections from NYLAG before January 17 2024, which leaves a short period afterwards to evaluate, study and complete the Objections we intend to file, since they intend to read and analyse the R&R in connection with the TAC and the Motion to Dismiss filed by Defendants.

As regards to the R&R by Hon. Sarah Netburn, we must state that it is our understanding that magistrate judges and all judges in general at SDNY face great numbers of cases to deal with. Among those, many entail different complexities, and many, also, may span many years and many details happening over such periods of time. This case is one of such cases, spans many years, different intertwined lines of action, a complex chronology, and although we celebrate and are enormously and sincerely thankful to Hon. Sarah Netburn time and obvious dedication, we think such factors have played a role in the evaluation of some aspects of the Third Amended Complaint.

In short, it is certainly difficult, dealing with many cases, and some of them containing many details and spanning many years, to retain with the same intensity all the details pertaining or affecting each of the claims.

Judges are humans, they know their work is very serious, consequently they face enormous pressure in analysing seriously so many different cases and complexities, and their time and mental focus is not unlimited.

That is why we understand our Objections as an important document to help this Court to visualise certain sets of facts, a document that should clearly summarise and put in context many arguments that reinforce and add clear perspective to some claims, and to try by that to clarify and find a just and more precise understanding of some aspects which we think need to be addressed and view under a more focused spotlight.

THEREFORE Plaintiff beseeches the Court to grant an extension of time to file the Objections no later than January 31, 2024, and to grant the Objections to be up to 60 pages long, or longer, if possible, according to your criteria. In order to address each objection properly, parts of the TAC must be taken into context to

make it more streamlined and easier for any reader of the Objections to connect all the facts under that spotlight mentioned before, claim by claim. The length mentioned will only make it easier to understand our arguments.

We enormously appreciate your Honour's time and consideration in this matter.

Respectfully Submitted,

/s/ Arthur Balder

Cc. All other Parties (via ECF).